

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

In the Matter of:
East Poland Post Office
East Poland, Maine 04230

Docket No. A2012-36

UNITED STATES POSTAL SERVICE
COMMENTS REGARDING APPEAL
(December 16, 2011)

On October 25, 2011, the Postal Regulatory Commission (Commission) received correspondence from postal customer Carl E. Duchette objecting to the discontinuance of the Post Office in East Poland, Maine. On November 1, 2011, the PRC posted a petition received from the concerned citizens of East Poland, ME containing 59 signatures. On November 2, 2011, the Commission issued Order No. 942, its Notice and Order Accepting Appeal and Establishing Procedural Schedule under 39 U.S.C. § 404(d). In accordance with Order No. 942, the administrative record was filed with the Commission on November 9, 2011.

The correspondence received by the Commission raises three issues: (1) the impact upon the provision of postal services, (2) the effect on community, and (3) economic savings. As reflected in the administrative record of this proceeding, the Postal Service gave these issues serious consideration. In addition, consistent with the Postal Service's statutory obligations and Commission precedent,¹ the Postal Service gave consideration to a number of other issues, including the impact upon postal

¹ See 39 U.S.C. 404(d)(2)(A).

employees. Accordingly, the determination to discontinue the East Poland Post Office should be affirmed.

Background

The Final Determination To Close the East Poland, ME Post Office and Extend Service by Rural Route Service (FD), as well as the administrative record, indicate that the East Poland Post Office provides EAS-55 level service to 82 Post Office Box customers, retail customers, and no delivery customer 44 hours per week. FD, at 2; Item No. 18, (Form 4920) Post Office Closing or Consolidation Proposal Fact Sheet ("Fact Sheet"), at 1; Item No. 33, Proposal Exhibit, at 2.² The Postmaster of the East Poland Post Office retired on November 26, 2008. Since the postmaster vacancy has arisen, an Officer-in-Charge (OIC) has been installed to operate the office. In the event of a discontinuance, no career employees would lose their job. The OIC of the East Poland Post Office would be assigned back to his administrative office, and no other employee will be adversely affected.³ The average number of daily retail window transactions at the East Poland Post Office is 19, accounting for 20 minutes of daily retail workload. Additionally, revenue has generally been low and declining: \$23,592.00 in FY 2008 (62 revenue units); \$19,230.00 in FY 2009 (50 revenue units); and \$18,640.00 (49 revenue units) in FY 2010.⁴ The East Poland Post Office has no permit or postage meter customers. FD, at 2; Item No. 15, Post Office Survey Sheet, at 1; Item No. 33, Proposal, at 2.

² In these comments, specific items in the administrative record are referred to as "Item ____."

³ FD, at 2, 5; Item No. 23, Analysis of Questionnaires, at 3; Item No. 33, Proposal to Close the East Poland, ME Post Office and Extend Service by Rural Route Service ("Proposal"), at 2, 5.

⁴ FD, at 2; Item No. 18, Post Office Closing or Consolidation Proposal, at 1; Item No. 33, Proposal, at 2.

Upon implementation of the final determination, delivery and retail services will be provided by rural route delivery administered by the Poland Post Office,⁵ an EAS-18 level office located five miles away, which has 192 available Post Office Boxes. FD, at 2; Item No. 18, Post Office Closing or Consolidation Proposal, at 1; Item No. 33, Proposal, at 2. Additionally, the Minot Post Office, an EAS-16 level office, is located only one mile away and has 475 Post Office Boxes available for a fee.

The Postal Service followed the proper procedures which led to the posting of the FD. All issues raised by the customers of the East Poland Post Office were considered and properly addressed by the Postal Service. The Postal Service gave customers advance notice of its intentions and its determination. In addition to the posting of the Proposal and FD, customers received notice through other means. 182 Questionnaires were distributed to delivery customers of the East Poland Post Office.⁶ Questionnaires were also available over the counter for retail customers at the East Poland Post Office. FD, at 2; Item No. 23, Postal Service Customer Questionnaire Analysis at 1. A letter from the Manager of Post Office Operations, Portland, ME, was also made available to postal customers, which advised customers that the Postal Service was evaluating whether the continued operation of the East Poland Post Office was warranted, and whether effective and regular service could be provided through rural route delivery and

⁵ The Poland Post Office is not part of the candidate facilities on the RAOI. See Docket No. N2011-1, USPS LR-N2011-1/11 Rev 1, available at [http://www.prc.gov/prc-pages/library/detail.aspx?docketId=N2011-](http://www.prc.gov/prc-pages/library/detail.aspx?docketId=N2011-1&docketPart=Documents&docId=75971&docType=Library%20References&attrID=&attrName=)

⁶ The administrative record indicates that the East Poland Post Office provides EAS-55 level service to 82 Post Office Box customers, other retail customers, and no delivery customers. Despite the fact that the East Poland Post Office has no delivery customers, the discontinuance study commenced prior to clarification that the questionnaires should be distributed only to the customers of the office under study. In this case, questionnaires were distributed to P.O. Box customers and rural roadside customers surrounding the East Poland Post Office who receive delivery under the Poland ZIP Code.

retail services available at the Poland Post Office. Item No. 21, Letter to Customer, at 1. The letter then invited customers to complete and return a customer questionnaire and to express their opinions about the service they were receiving and the effects of a possible change involving rural route delivery. *Id.* The returned customer questionnaires and Postal Service response letters appear in the administrative record in Item No. 22. In addition, representatives from the Postal Service were available at the Poland Regional High School Auditorium for a community meeting on May 31, 2011 to answer questions and provide information to customers. FD, at 2; Item No. 21a, Letter to Customer, at 1; Item No. 24, Community Meeting Roster; Item No. 33, Proposal, at 2. Customers received formal notice of the Proposal through postings at the East Poland Post Office and the Poland Post Office, and through postings of the FD at the same two offices. The Proposal was posted with an invitation for public comment at the East Poland Post Office and Poland Post Office from June 14, 2011 to August 15, 2011,⁷ as confirmed by the round-dated Proposal cover sheet that appears in the administrative record. FD, at 2; Item No. 33, Invitation for Comments on the Proposal to Close the East Poland, ME Post Office and Extend Service by Rural Route, at 1. The FD was posted at both the East Poland and Poland Post Offices from October 5, 2011 to November 6, 2011.

In light of a postmaster vacancy; minimal workload; low office revenue;⁸ the variety of delivery and retail options (including the convenience of rural delivery and retail service);⁹ limited expected population, residential, commercial or business growth

⁷ The East Poland, ME Post Office Discontinuance action was conducted under regulations in the prior version of Handbook PO-101.

⁸ See note 4 and accompanying text.

⁹ FD, at 2, 3, 4, 5, 7; Item No, 33, Proposal, at 2, 3, 4, 5.

in the area;¹⁰ minimal impact upon the community; and the expected financial savings,¹¹ the Postal Service issued the FD.¹² Regular and effective postal services will continue to be provided to the East Poland community in an effective manner upon implementation of the final determination. FD at 2, 7.

Each of the issues raised by Petitioners is addressed in the paragraphs which follow.

Effect on Postal Services

Consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iii) and as addressed throughout the administrative record, the Postal Service considered the effect of closing the East Poland Post Office on postal services provided to East Poland customers. The closing is premised upon providing regular and effective postal services to East Poland customers.

The Petitioners raise the issue of the effect on postal services of the East Poland Post Office's closing, noting the convenience of the East Poland Post Office and requesting its retention. The concerned citizens express particular concern about potential mail security issues and the risks involved in noncareer employees handling the mail, and the treatment of accountable mail. Each of these concerns was considered by the Postal Service.

The Postal Service has considered the impact of closing the East Poland Post Office upon the provision of postal services to East Poland customers. FD at 2-7; Item No. 33, Proposal, at 2-6. As explained throughout the administrative record, carriers

¹⁰ FD, at 2, 5, 7; Item No. 16, Community Survey Sheet; Item No. 33, Proposal, at 2, 5, 6.

¹¹ FD, at 3, 5, 6; Item No. 17, Highway Contract Route Cost Analysis Form; Item No. 33, Proposal, at 3, 5, 6.

¹² FD, at 7.

can perform many functions that will alleviate the need to travel to the Post Office for many services. Rural route delivery to customers provides similar access to many retail services, thereby stemming the need to travel to the Post Office. FD at 2, 3-4, 5, 7; Item No. 33, Proposal, at 2, 3-4, 5, 6. In fact, most transactions do not require meeting the carrier at the mailbox. The rural carrier provides many of the services that are available at the Post Office. Furthermore, many of the services offered are available the same day and do not require advance notice for the transaction to be completed. Services available from the carrier include mailing certain packages, purchasing postal money orders, and obtaining a variety of special services, including sending accountable mail.¹³ Furthermore, the record explains that carrier pickup is available. Carrier pickup allows for scheduling the retrieval of packages at the same time as the carrier delivers the mail. *Id.* Carrier service is especially beneficial to many senior citizens and those who face special challenges because the carrier can provide delivery and retail services to roadside mailboxes, thereby eliminating the need to travel to a Post Office. FD, at 2.

Additionally, the Postal Service explained that it offers several convenient options which can save customers a trip to the Post Office. FD, at 3-4, 5; Item No. 33, Proposal, at 3, 5. If internet access is unavailable, stamps can be purchased by phone via a toll-free number, or by mail. FD, at -4, 5; Item No. 33, Proposal, at 3, 5.

¹³ If the carrier attempts to deliver accountable mail and the addressee is unable to sign for the letter, the carrier will leave a Form 3849 informing the addressee that the carrier attempted to deliver an accountable letter, but was unable. The form indicates that the letter is available at the local Post Office or the addressee may request redelivery. The addressee is given the option to specify the date he or she would like the letter to be delivered, change the redelivery address to his or her workplace (if the work location is in the same town), or designate a friend, neighbor or family member to accept the letter and the carrier will deliver the letter to that individual (if the individual is in the same town). The original addressee may also receive the letter at the Poland Post Office, Monday through Saturday during business hours or the addressee's designee may receive the letter at the Poland Post Office, Monday through Saturday during business hours. The Postal Service makes available several options for customers that choose to utilize Rural Route service and receive accountable mail but are unable to be home during the week to sign for such mail.

Additionally, customers can place their mail on hold and obtain other special services by calling a toll free number or visiting the Postal Service's website. *Id.* Furthermore, if internet access is available, customers can purchase stamps online through the Postal Service's website at www.USPS.com and print shipping labels with postage for Express Mail and Priority Mail.

The Petitioner states that his business will be impacted because he will be unable to process checks received after 4:00 p.m. He notes that losing the ability to send Express Mail "up until the last minute every day" at the East Poland Post Office will be disruptive to his insurance-coverage business and his clients. While the Postal Service regrets any inconvenience that the Petitioner may experience, the agency encourages the Petitioner to look into alternate methods of mail processing. The Minot Post Office, for example, is located one mile away, and is capable of processing the same types of transactions as the East Poland Post Office, including accepting Express Mail packages, until it closes at 4:00 p.m. Additionally, the Petitioner may wish to change his business operations to account for his changed circumstances. Customers who are aware that their coverage may be delayed depending on when payment is delivered to the Petitioner's business may take special precautions to ensure delivery by a certain time should they require expedited coverage.

Additionally, the concerned citizens' comments on the security of mail were also addressed in the record. Local officials solicited information regarding this matter, and the agency found no reports of mail theft or vandalism in the area. Item No. 14, Inspection Service/local law enforcement vandalism reports, at 1. Additionally, the Postal Service explained that customers may place a lock on their mailboxes as long as

the mailbox has a slot large enough to accommodate the customer's normal daily mail volume. FD, at 3. Furthermore, customers opting for carrier service will have 24-hour access to their mail and will not have to pay post office box fees. FD, at 5. Should customers decide this option better suit their needs, they are also welcome to conduct postal business at the Poland Post Office, or the Minot Post Office which is located only one mile away, or any other convenient Post Office location. FD, at 2. With regard to concerns about noncareer employees handling the mail, there is no basis for such unease. Noncareer employees provide excellent service throughout the Postal Service, and are equally capable of performing their functions successfully and respecting and implementing postal policy as career employees routinely do

Upon the implementation of the final determination, delivery and retail services will be provided by rural route delivery emanating from the Poland Post Office, which is located five miles away. FD at 2, 7. In addition to rural delivery, which is the recommended alternate service, customers may also receive postal services at the Poland or Minot Post Offices. The window service hours of the Poland Post Office are from 8:00 a.m. to 12:30 p.m. and 1:30 p.m. to 4:00 p.m. Monday through Friday, and 8:15 a.m. to 11:15 a.m. on Saturday. FD, at 2. The window service hours of the Minot Post Office are from 8:30 a.m. to 12:30 p.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday, and 8:30 a.m. to 11:30 a.m. on Saturday. Furthermore, special attention and assistance provided by the personnel at the East Poland Post Office will be provided by personnel at nearby Post Offices and the carrier. Thus, the Postal Service has properly concluded that all East Poland customers will continue to receive regular and effective service via rural route delivery.

Effect Upon the East Poland Community

The Postal Service is obligated to consider the effect of its decision to close the East Poland Post Office upon the East Poland community. 39 U.S.C. § 404(d)(2)(A)(i). While the primary purpose of the Postal Service is to provide postal services, the statute recognizes the substantial role in community affairs often played by local Post Offices, and requires consideration of that role whenever the Postal Service proposes to close or consolidate a Post Office.

East Poland is an incorporated rural community located in Androscoggin County. The Androscoggin Sheriff's Department provides police protection. The community is administered politically by Poland Board of Selectmen, with fire protection provided by the Poland Volunteer Fire Department. FD, at 5; Item No. 33, Proposal at 5. The questionnaires completed by East Poland customers indicate that the retirees, commuters, self employed, and others who reside in East Poland travel to nearby communities for other supplies and services. See generally FD, at 5; Item No. 22, Returned Customer Questionnaires and Postal Service Response Letters.

The Postal Service has extensively considered the effect of the closing of the East Poland Post Office upon the East Poland community, as reflected in the administrative record. FD, at 2, 3, 5, 6; Item No. 33, Proposal, at 2, 3, 5, 7. The Postal Service explained that a community's identity derives from the interest and vitality of its residents. Residents may continue to meet informally, socialize, and share information at any local store, church and residences in town. FD, at 5. Communities also generally require regular and effective postal services and these will continue to be provided to the East Poland community. Furthermore, carrier service is expected to be

able to handle any future growth in the community. FD, at 2, 7; Item No. 33, Proposal, at 2, 6.

In addition, the Postal Service has concluded that nonpostal services provided by the East Poland Post Office can be provided by the Poland Post Office. Government forms usually provided by the Post Office are also available by contacting local government agencies. FD, at 5; Item No. 33, Proposal, at 5. Thus, the Postal Service has met its burden, as set forth in 39 U.S.C. § 404(d)(2)(A)(i), by considering the effect of closing the East Poland Post Office on the community served by the East Poland Post Office.

Economic Savings

Postal officials properly considered the economic savings that would result from the proposed closing, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service estimates that rural route carrier service would cost the Postal Service substantially less than maintaining the East Poland Post Office and would still provide regular and effective service. Item No. 21a, Letter to Customer, at 1. The estimated annual savings associated with discontinuing the East Poland Post Office are \$29,590.00. FD, at 6; Item No. 33, Proposal, at 6.

The Petitioner questions the consistency of this proposal with statutory authority in Title 39. Here, however, a variety of factors inform the decision to discontinue the East Poland Post Office, including a postmaster vacancy, minimal workload, low office revenue,¹⁴ the variety of delivery and retail options (including the convenience of rural delivery and retail service),¹⁵ limited expected population, residential, commercial or

¹⁴ See note 4 and accompanying text.

¹⁵ FD, at 2, 3, 4, 5, 7; Item No. 33, Proposal, at 2, 3, 4, 5.

business growth in the area,¹⁶ minimal impact upon the community, and the expected financial savings.¹⁷ Pursuant to 39 U.S.C. § 404(d)(2)(A)(iii), in determining whether to close a post office, the Postal Service must consider whether such closing is consistent with the policy that the Postal Service provide “a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining.” In this case, the Postal Service analyzed, among other factors, the East Poland Post Office’s workload and revenue. The consideration of an office’s workload and revenue is not inconsistent with the policies of Title 39, however, because analysis of workload and revenue does not imply that a small Post Office is operating at a deficit. The Postal Service then analyzed whether a maximum degree of effective and regular postal services to the area and community could be provided with rural delivery service in the absence of the Post Office, and the answer was affirmative.

Economic factors are one of several factors that the Postal Service considered, and economic savings have been calculated as required for discontinuance studies, which is noted throughout the administrative record, consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iv). FD, at 6; Item No. 33, Proposal, at 6. The Postal Service determined that carrier service is more effective than maintaining the East Poland postal facility and postmaster position. FD, at 7. The Postal Service’s estimates are supported by record evidence, in accordance with the Postal Service’s statutory obligations. The Postal Service, therefore, has considered the economic savings to the Postal Service resulting from such a closing, consistent with its statutory obligations and Commission precedent. See 39 U.S.C. § 404(d)(2)(A)(iv).

¹⁶ FD, at 2, 5, 7; Item No. 16, Community Survey Sheet; Item No. 33, Proposal, at 2, 5, 6.

¹⁷ FD, at 3, 5, 6; Item No. 17, Highway Contract Route Cost Analysis Form; Item No. 33, Proposal, at 3, 5, 6.

Effect on Employees

As documented in the record, the impact on postal employees is minimal as no career employees would lose their jobs. The OIC of the East Poland Post Office would be assigned back to his administrative office, and no other employee will be adversely affected.¹⁸ The postmaster position became vacant when the postmaster retired on November 26, 2008. Upon implementation of the final determination, the noncareer postmaster relief (PMR) will be assigned back to his administrative office. The record shows that no other employee would be adversely affected by this closing. FD, at 2, 4; Item No. 15, Post Office Survey Sheet, at 1; Item No. 23, Analysis of Questionnaires, at 3; Item No. 33, Proposal, at 2, 5. Therefore, in making the determination, the Postal Service considered the effect of the closing on the employees at the East Poland Post Office, consistent with its statutory obligations. See 39 U.S.C. § 404(d)(2)(A)(ii).

Conclusion

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of closing the East Poland Post Office on the provision of postal services and on the East Poland community, as well as the economic savings that would result from the proposed closing, the effect on postal employees, and other factors, consistent with the mandate of 39 U.S.C. § 404(d)(2)(A).

After taking all factors into consideration and evaluating other options, the Postal Service determined that the advantages of discontinuance outweigh the disadvantages. In addition, the Postal Service concluded that after the discontinuance, the Postal

¹⁸ FD, at 2, 6; Item No. 33, Proposal to Close the East Poland, ME Post Office and Extend Service by Rural Route Service ("Proposal"), at 2, 6.

Service will continue to provide effective and regular service to East Poland customers. FD, at 6. The Postal Service respectfully submits that this conclusion is consistent with and supported by the administrative record and is in accord with the policies stated in 39 U.S.C. § 404(d)(2)(A). The Postal Service's decision to close the East Poland Post Office should, accordingly, be affirmed.

The Postal Service respectfully requests that the determination to close the East Poland Post Office be affirmed.

Respectfully submitted,

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